

## Claims

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1. (Amended Once) A flame retarding and smoke suppressing additive powder, comprising, by weight:

a carbonific material 10.0-12.0%;

a heat activated blowing agent 15.5-17.5%;

a heat activated halogen material 12.0- 17.0% which forms a fire extinguishing halogen gas under heat;

A1 a phosphate material 30-33.4% which forms water and phosphorous acid when reacting with one or more of the remaining ingredients in the powder under heat; and

an inorganic binder 23.5.0-29.5%.

2. (Amended Once) The powder of claim 1 wherein the carbonific material is selected from the group consisting of dipentaerythritol, pentaerythritol polyurethane, phenol, triethylene glycol, resorcinol, inositol, sorbitol, dextrin, and starch.

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A2 4. (Amended Once) The powder of claim 1 wherein the heat activated halogen material is selected from the group of chlorinated paraffin by weight - 40% and chlorinated paraffin by weight - 70%.

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Please cancel claims 7-11.

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AB 12. (Amended Once) A flame retarding and smoke suppressing additive powder for mixing with resins comprising, by weight:

10.0-12.0% of a carbonific comprising of dipentaerythritol, dipentaerythritol, pentaerythritol, pentaerythritol polyurethane, phenol, triethylene glycol, resorcinol, inositol, sorbitol, dextrin, and starch;

15.5-17.5% of a blowing agent comprising malamine;

12.0-19.0% of a halogen containing materials comprising chlorinated paraffins;

30-33.4% of a phosphorous containing material which is selected from the group consisting of ammonium polyphosphate, tris(2,3-dibromopropyl) phosphate, tris(beta-chloroethyl) phosphate, guanidine phosphate, urea phosphate, melamine phosphate, monoammonium phosphate, diammonium phosphate, and mixtures thereof; and

23.5-29.5% of an inorganic material is selected from the group consisting of calcium aluminate cement, silica flour, and glass beads.

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## Remarks

The application was filed with claims 1-12. Claims 7-11 have been withdrawn without prejudice. Claims 1-6, and 12 have been examined and are pending. Claims 1-6, and 12 are rejected. All rejections are traversed.

In paragraphs 1-6, the Examiner indicates the election/restriction under 35 U.S.C. 121. Applicants confirm election of invention I - claims 1-6, and 12, and the withdrawal of claims 7-11 without prejudice. Applicants reserve the right to refile the withdrawn claims.